

1                   A bill to be entitled  
2           An act relating to the Department of Highway Safety  
3           and Motor Vehicles; amending s. 316.613, F.S.;  
4           revising exemptions from using a certain child  
5           restraint device; revising the definition of the term  
6           "motor vehicle"; amending s. 320.02, F.S.; providing  
7           exceptions to a requirement that the owner of a motor  
8           vehicle notify the department of a change of address  
9           within a certain time period; revising such time  
10          period; amending ss. 322.051 and 322.21, F.S.;  
11          providing for the issuance of identification cards at  
12          no charge to certain persons in the custody or under  
13          the supervision of the Department of Juvenile Justice;  
14          requiring certain identification cards to be processed  
15          by the Department of Highway Safety and Motor  
16          Vehicles' mobile issuing units; amending s. 322.19,  
17          F.S.; providing exceptions to a requirement that a  
18          person obtain a replacement driver license reflecting  
19          a change of name within a certain time period;  
20          revising the time period for obtaining a replacement  
21          license reflecting certain changes of information;  
22          requiring certain persons to obtain a replacement  
23          identification card reflecting a change of name within  
24          a certain time period; amending s. 322.221, F.S.;  
25          directing the department to issue an identification  
26          card at no cost to a person whose driver license is

27 |           suspended or revoked due to certain circumstances;  
 28 |           providing an effective date.

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30 | Be It Enacted by the Legislature of the State of Florida:

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32 |           Section 1. Paragraph (a) of subsection (1) and paragraph  
 33 | (b) of subsection (2) of section 316.613, Florida Statutes, are  
 34 | amended to read:

35 |           316.613 Child restraint requirements.—

36 |           (1) (a) Every operator of a motor vehicle as defined in  
 37 | this section, while transporting a child in a motor vehicle  
 38 | operated on the roadways, streets, or highways of this state,  
 39 | shall, if the child is 5 years of age or younger, provide for  
 40 | protection of the child by properly using a crash-tested,  
 41 | federally approved child restraint device.

42 |           1. For children aged through 3 years, such restraint  
 43 | device must be a separate carrier or a vehicle manufacturer's  
 44 | integrated child seat.

45 |           2. For children aged 4 through 5 years, a separate  
 46 | carrier, an integrated child seat, or a child booster seat may  
 47 | be used. However, the requirement to use a child restraint  
 48 | device under this subparagraph does not apply when a safety belt  
 49 | is used as required in s. 316.614(4)(a) and the child:

50 |           a. Is being transported gratuitously by an operator who is  
 51 | not a member of the child's immediate family;

52 |           b. Is being transported in a medical emergency situation

53 involving the child; ~~or~~

54 c. Is being transported by a child care facility, family  
 55 day care home, or large family child care home as those terms  
 56 are defined in s. 402.302; an after-school program not requiring  
 57 licensure pursuant to chapter 402; a child care facility exempt  
 58 pursuant to s. 402.316; or an entity excluded from the  
 59 definition of child care facility pursuant to s. 402.302(2); or

60 d. Has a medical condition that necessitates an exception  
 61 as evidenced by appropriate documentation from a health care  
 62 professional.

63 (2) As used in this section, the term "motor vehicle"  
 64 means a motor vehicle as defined in s. 316.003 that is operated  
 65 on the roadways, streets, and highways of the state. The term  
 66 does not include:

67 (b) A bus used for the transportation of persons for  
 68 compensation, ~~other than a bus regularly used to transport~~  
 69 ~~children to or from school, as defined in s. 316.615(1)(b), or~~  
 70 ~~in conjunction with school activities.~~

71 Section 2. Subsection (4) of section 320.02, Florida  
 72 Statutes, is amended to read:

73 320.02 Registration required; application for  
 74 registration; forms.—

75 (4) Except for a person subject to s. 775.21, s. 775.261,  
 76 s. 943.0435, s. 944.607, or s. 985.4815, the owner of any motor  
 77 vehicle registered in the state shall notify the department in  
 78 writing of any change of address within 30 ~~20~~ days after ~~of~~ such

79 | change. The notification shall include the registration license  
 80 | plate number, the vehicle identification number (VIN) or title  
 81 | certificate number, year of vehicle make, and the owner's full  
 82 | name.

83 | Section 3. Subsection (9) of section 322.051, Florida  
 84 | Statutes, is amended to read:

85 | 322.051 Identification cards.—

86 | (9) Notwithstanding any other provision of this section or  
 87 | s. 322.21 to the contrary, the department shall issue or renew a  
 88 | card at no charge to a person who presents evidence satisfactory  
 89 | to the department that he or she is homeless as defined in s.  
 90 | 414.0252(7), to a juvenile offender who is in the custody or  
 91 | under the supervision of the Department of Juvenile Justice and  
 92 | receiving services pursuant to s. 985.461, to an inmate  
 93 | receiving a card issued pursuant to s. 944.605(7), or, if  
 94 | necessary, to an inmate receiving a replacement card if the  
 95 | department determines that he or she has a valid state  
 96 | identification card. If the replacement state identification  
 97 | card is scheduled to expire within 6 months, the department may  
 98 | also issue a temporary permit valid for at least 6 months after  
 99 | the release date. The department's mobile issuing units shall  
 100 | process the identification cards for juvenile offenders and  
 101 | inmates at no charge, as provided by s. 944.605(7)(a) and (b).

102 | Section 4. Subsections (1) and (2) of section 322.19,  
 103 | Florida Statutes, are amended to read:

104 | 322.19 Change of address or name.—

105           (1) Except as provided in ss. 775.21, 775.261, 943.0435,  
 106 944.607, and 985.4815, whenever any person, after applying for  
 107 or receiving a driver license or identification card, changes  
 108 his or her legal name, that person must within 30 ~~40~~ days  
 109 thereafter obtain a replacement license or card that reflects  
 110 the change.

111           (2) If a ~~Whenever any~~ person, after applying for or  
 112 receiving a driver license or identification card, changes the  
 113 legal residence or mailing address in the application, ~~or~~  
 114 license, or card, the person must, within 30 ~~40~~ calendar days  
 115 after making the change, obtain a replacement license or card  
 116 that reflects the change. A written request to the department  
 117 must include the old and new addresses and the driver license or  
 118 identification card number. Any person who has a valid, current  
 119 student identification card issued by an educational institution  
 120 in this state is presumed not to have changed his or her legal  
 121 residence or mailing address. This subsection does not affect  
 122 any person required to register a permanent or temporary address  
 123 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.  
 124 943.0435.

125           Section 5. Paragraph (f) of subsection (1) of section  
 126 322.21, Florida Statutes, is amended to read:

127           322.21 License fees; procedure for handling and collecting  
 128 fees.—

129           (1) Except as otherwise provided herein, the fee for:

130           (f) An original, renewal, or replacement identification

131 card issued pursuant to s. 322.051 is \$25, except that an  
 132 applicant who presents evidence satisfactory to the department  
 133 that he or she is homeless as defined in s. 414.0252(7); ~~or~~ his  
 134 or her annual income is at or below 100 percent of the federal  
 135 poverty level; or he or she is a juvenile offender who is in the  
 136 custody or under the supervision of the Department of Juvenile  
 137 Justice, is receiving services pursuant to s. 985.461, and whose  
 138 identification card is issued by the department's mobile issuing  
 139 units is exempt from such fee. Funds collected from fees for  
 140 original, renewal, or replacement identification cards shall be  
 141 distributed as follows:

142 1. For an original identification card issued pursuant to  
 143 s. 322.051, the fee shall be deposited into the General Revenue  
 144 Fund.

145 2. For a renewal identification card issued pursuant to s.  
 146 322.051, \$6 shall be deposited into the Highway Safety Operating  
 147 Trust Fund, and \$19 shall be deposited into the General Revenue  
 148 Fund.

149 3. For a replacement identification card issued pursuant  
 150 to s. 322.051, \$9 shall be deposited into the Highway Safety  
 151 Operating Trust Fund, and \$16 shall be deposited into the  
 152 General Revenue Fund. Beginning July 1, 2015, or upon completion  
 153 of the transition of the driver license issuance services, if  
 154 the replacement identification card is issued by the tax  
 155 collector, the tax collector shall retain the \$9 that would  
 156 otherwise be deposited into the Highway Safety Operating Trust

157 Fund and the remaining revenues shall be deposited into the  
 158 General Revenue Fund.

159 Section 6. Subsection (3) of section 322.221, Florida  
 160 Statutes, is amended to read:

161 322.221 Department may require reexamination.—

162 (3) (a) Upon the conclusion of such examination or  
 163 reexamination the department shall take action as may be  
 164 appropriate and may suspend or revoke the license of such person  
 165 or permit him or her to retain such license, or may issue a  
 166 license subject to restrictions as permitted under s. 322.16.  
 167 Refusal or neglect of the licensee to submit to such examination  
 168 or reexamination shall be ground for suspension or revocation of  
 169 his or her license.

170 (b) If the department suspends or revokes the license of a  
 171 person due to his or her physical or mental condition, the  
 172 department shall issue an identification card to the person at  
 173 the time of the license suspension or revocation. The department  
 174 may not charge fees for the issuance of the identification card.

175 Section 7. This act shall take effect October 1, 2016.